



**TOWN OF BEAUX ARTS VILLAGE
TOWN BULLETIN
November 2006**

TOWN COUNCIL	December 12	Wells
PLANNING COMMISSION	December 21	Casey
BOARD OF ADJUSTMENT	NO MEETING	
WABA	December 14	Van de Kamp

E-MAIL ADDRESS: townhall@beauxarts-wa.gov

WEBSITE: www.beauxarts-wa.gov

SALES TAX NUMBER: #1703

In Sympathy: Word has come of the passing of Virginia Rice who lived with her family in the house now occupied by the Leiders. Her son and daughter-in-law, Jim and Cheryl Rice, once lived in what is now the Stack house on SE 29th Street and now rent Don Pratten's home. After leaving the Village, Virginia became a school librarian. In her later life, she followed local sports teams and pursued many other interests. In addition to son, Jim, she is survived by another son, Jack of Olympia, and three grandchildren. Our sympathy is extended to her family.

COUNCIL BUSINESS: Highlights from the November 14th Council meeting include:

- The Council continued its discussions of a tree-management plan for the Town and passed Ordinance No. 343 imposing an emergency moratorium that prohibits the topping or removal of any tree with a diameter of eight (8) inches or more at any point except when such a tree is diseased, dead, or dying as confirmed by a certified arborist. (Ordinance text is attached)
- The Council held its second public hearing to discuss a proposed budget for 2007 and passed Ordinance No. 344 setting the property tax levy for 2007.
- The Council discussed changing the Town's No-Wake Ordinance to set the speed limit at 8 mph (approx. 7 knots) instead of merely defining a wake; this item will be discussed again at a future Council meeting.

MARSHAL'S REPORT: Petty prowls & thefts: This is the time of year for car prowls and petty thefts. Villagers, please lock your garages and cars left outside. Please also take notice of anyone unknown to you hanging around the mailboxes or the beach. Over the last month, a car was vandalized on 107th Ave. and the Van Wycks reported that someone broke their mailbox lock and stole their mail. Because they had it locked, they knew to report the crime to the post office and to take the normal precautions with regard to potential identity theft. All villagers are recommended to lock their mail boxes.

Beach access: People not belonging to our community may not access the beach without being accompanied by a member. When I ask, I often hear: "Oh, I'm friends w/ so & so ": even if "so & so " is a village resident, this doesn't cut it; these people must be asked to leave and escorted off; if you are reluctant to do this, then please call me. It is your duty to introduce yourself to anyone unknown to you seen on the beach or parking lot. This is important for two reasons: there is a likelihood that the thefts and vandalism that occurred to boats over the last year was committed by unauthorized visitors and if the beach becomes known as a reliable place to "hang out", then the beach and parking lots tend to get littered with pop & beer cans & other trash. Cars parked at the beach lot must have Beaux Arts stickers on the front or rear window; if they don't, that's usually a good indication that they should not be there (I've found people sleeping in their cars there).

I'm starting to research the feasibility of various options like continuous loop cameras on poles w/ motion-sensor lights to determine cost / maintenance / reliability / effectiveness. If anyone knows about this or has some ideas – like you object to "big brother" watching you on the dock or getting you mail – please call 425-454-2573 or email: wscott@legacy-commercial.com. *Walter Scott, Town Marshal*

NEXT COUNCIL MEETING: The next regular Council meeting will be held at 7:00 pm on December 12, 2006 at Mayor Wells' house, 2725 – 106th Pl SE.

FALL TOWN CLEAN-UP REPORT: Robin Stefan reports that despite the wet weather, the **November 4 Fall Town Clean-Up** was very productive. Thanks so much to the hardy Villagers who turned out, without concern for the rain! In addition to Villagers working on Town property on their streets, people worked together with the following projects.

Special project: On the Lower Village path, between Ferree and Roberts where ivy was removed last spring, 150 plants were planted by the A-Team. A special thanks

you to Charlie Ferree and Gordon Roberts who will water these plants for the next to summers.

Five-Corners: Another team effort of weeding and neatening took place here, as it does with every Town Clean-Up.

Support services: Debris pick up, refreshments distribution, and Block Captain telephoning helped the work party to run more smoothly and helped Villagers to have more fun working together.

Adopt-a-tree: Six trees were planted by a four man team on Town property (see adopt-a-tree article below).

New annual project: Beaux Arts street signs were scrubbed clean.
We really accomplished a lot thanks to the Villagers that turned out in the rain!
"Thanks" to each of you for a job well done. All of your efforts are appreciated!

ADOPT-A-TREE 2006: In the third year of the Town's Adopt-a-Tree program, 6 trees were planted on Town property, in conjunction with the Town Clean-Up day. Each tree was "adopted" by a Village family who will water their tree(s) over the next two summers. A very special "thank you" to each adopting family for giving these trees a good start.

<u>Tree</u>	<u>Tree Location</u>	<u>Adopting Family</u>
2 Doug Fir	Front of Young's property	Young
1 Cedar	Behind mailbox at Five Corners	McCorriston
1 Cedar	East end of path between Young & Van Wyk	Matsudaira
2 Madrone	East end of path between Young & Van Wyk	Henneman

The Town will provide and plant more trees next fall. Please call Robin Stefan if you would like to adopt-a-tree on Town property near you in 2007.

A long handled pruning tool was left at 104th area on Nov. 4. Please call Barbara Welsh if it is yours.

RACCOON WARNING: Residents are advised that raccoons in our area have become acclimated to living among humans and have been found inside residents' homes and garages. Raccoons are wild animals and can be extremely vicious when trapped or cornered. The main human attraction for raccoons is the persistent presence of and easy access to pet food. Just keeping it indoors may not be enough if you have a pet door. If you leave food available for your pet on a routine basis, please consider moving the food dish away from your pet door and keeping your pet door closed at night or when you are away for several days. More information about dealing with urban raccoons can be found at the Washington State Dept of Fish and Wildlife website:

<http://wdfw.wa.gov/wlm/living/raccoons.htm>.

NEW OUTGOING MAILBOX: After more than two years of waiting, the Town finally has a secure outgoing mailbox! And since the Town owns the new box, there is little danger that it will disappear. You'll find the new box on SE 28th Street at the mail stand nearest 105th Ave SE (near the "Toad Hall" sign). It is greenish-blue in color, sits on a separate pole, and soon will sport a sign identifying it as "OUTGOING US MAIL". Our carrier checks the box during his normal delivery rounds, so if you get your outgoing mail into the box by mid-morning, you can be pretty sure that it will be picked up that day.

HOLIDAY SOCIAL AND COOKIE EXCHANGE: This year's holiday social will be on Monday, December 11th, from 7:00 to 9:00 PM at Susan Durr's home. All village women are invited. Please mark your calendars. This annual event provides a chance to exchange holiday cookies and to socialize with Village women, however cookies are not required. If baking does not fit into your busy December schedule, don't bother with the cookies, but please come share holiday cheer.

If you want to participate in the exchanging of cookies, please bring: 25 baggies of 3 homemade cookies each, in a box labeled with your name. Also bring a second empty box labeled with your name. All women in the Village will be called and reminded of the details. If you have not been contacted by December 10, please call Lynn Hall, 455-0416. Hope to see you on December 11!

NEED TO CONTACT TOWN STAFF?

- Contact **Clerk-Treasurer Sue Ann Spens** if you need to speak to someone about **issues before the Council, general Town business, or Water-Department concerns**. You can reach her by email at townhall@beauxarts-wa.gov, by phone at (425) 454-8580, or by regular mail at 10550 SE 27th Street, Beaux Arts, WA 98004.
- Contact **Deputy Clerk Betsy Donworth** if you need information, applications, or other assistance with **permits, variances, or issues before the Planning Commission or Board of Adjustment**. She can be reached by email at bldgdept@beauxarts-wa.gov, by phone at (425) 453-0235, or by regular mail at 10550 SE 27th Street, Beaux Arts, WA 98004.
- Contact **Town Marshal Walter Scott** at (425) 454-2573 or **Deputy Marshal Scott Harpster** at (425) 746-0757 to report Blockwatch concerns.

**TOWN OF BEAUX ARTS VILLAGE
ORDINANCE NO. 343**

**AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE,
WASHINGTON IMPOSING A MORATORIUM ON THE TOPPING OR
REMOVAL OF TREES ON PRIVATE PROPERTY IN THE TOWN OF BEAUX
ARTS VILLAGE.**

WHEREAS, the Town of Beaux Arts Village is fortunate to be sited among a large number of trees; and

WHEREAS, the trees provide stability to slopes, help control runoff into Lake Washington, and provide natural beauty to the Town; and

WHEREAS, trees on the public right-of-way and other public property are protected by state statute; and

WHEREAS, the topping or removal of trees on private property carries the potential of immediate negative effects on the lifestyle of the residents of the Town of Beaux Arts Village; and

WHEREAS, the Town of Beaux Arts Village does not currently address the various and immediate impacts to public health, safety, and general welfare that the failure to regulate the topping or removal trees on private property presents to the Town of Beaux Arts Village and its residents; and

WHEREAS, the Town of Beaux Arts Village needs to review, evaluate, and determine the need for the regulation of trees on private property; and

WHEREAS, RCW 35.63.200 authorizes towns to adopt moratoria provided that a public hearing is held within sixty (60) days of adoption; and

WHEREAS, the Town of Beaux Arts Village recognizes the need to remove trees on private property when same creates an immediate and imminent danger to persons or property; and

WHEREAS, the purpose of this ordinance is to provide time, during the moratorium period, in which the Town Council may study the topping or removal of trees and adopt any reasonable regulations as necessary; **NOW THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, AS FOLLOWS:

Section 1. Moratorium. The Council of the Town of Beaux Arts Village hereby declares a moratorium upon the topping or removal of any tree with a diameter in excess of eight inches measured at any point on the trunk and located on private property ("Protected Tree") in the Town of Beaux Arts Village.

Section 2. Exceptions. A protected tree may be removed only under one of the following exceptions:

2.1 The removal is necessary to remedy an immediate and imminent danger to persons or property and the removal is approved in writing by a member of the Town Council; or

2.2. A certified arborist who has been approved by the Town files a report with the Town Clerk stating that the tree poses a danger to persons or property and the removal is approved in writing by a member of the Town Council; or

2.3. An applicant for a building permit demonstrates to the Board of Adjustment that:

2.3.1 Waiting for this moratorium to expire creates an undue hardship for the applicant;

2.3.2 An exception is necessary because of special circumstances relating to the size, shape, topography, location, surroundings, and features of the applicant's property; and

2.3.3 The exception is the minimum necessary to relieve the demonstrated hardship.

Section 3. Penalty. The penalty for topping, intentionally damaging or removing a protected tree shall be a fine of \$2,500 per tree plus the cost to enforce collection of this fine and the cost of replacing the affected tree with a similar tree.

Section 4. Duration. This moratorium shall be in effect for the 60 days following the date of this ordinance and shall expire at midnight on January 13, 2007 unless extended by the Town Council.

Section 5. Public Hearing. The Town Council shall hold a public hearing on this moratorium at a regular meeting on or before January 13, 2007. Immediately after the public hearing, the Town Council shall adopt findings of fact on the subject of this moratorium and either justify its continued imposition or cancel the moratorium.

Section 6. Staff Direction. During the moratorium, Town staff is directed to survey the tree regulations of surrounding jurisdictions and provide a summary of these regulations to the Council for review prior to the public hearing.

Section 7. Recitals and Findings of fact Incorporated. The recitals set forth on page 1 of this Ordinance are incorporated herein as though fully set forth herein and shall serve as Findings of Fact. The Town Council may amend such findings in whole or in part and adopt additional findings following a public hearing.

Section 8. Severability and Validity. If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases subsequently may be found by competent authority to be unconstitutional or invalid.

Section 9. Effective Date. Based on the recitals and findings of facts set forth herein, this ordinance shall constitute a public emergency ordinance necessary for the

protection of public health, safety, property and/or peace and shall become effective upon passage and approval.

PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE on the 14th day of November, 2006.

APPROVED BY THE MAYOR OF THE TOWN OF BEAUX ARTS VILLAGE on the 14th day of November, 2006.

Judee Wells, Mayor